

## REMARKS

In view of the preceding amendments and the comments which follow, and pursuant to 37 C.F.R. § 1.111, amendment and reconsideration of the Official Action of August 24, 2004 is respectfully requested by Applicant.

### Summary

Claim 1 stand rejected. Claims 2 – 4 are objected to. Claims 5 – 10 have been added. No new matter has been introduced as a result of these amendments.

Claims 1 – 10 are pending following entry of the present amendments and remarks.

### Rejection under 35 U.S.C. § 102

The Examiner has rejected Claim 1 under 35 U.S.C. 102(b) as being anticipated by Nishikawa et al. (Nishikawa) (U.S. patent No. 5,166,693). Applicant respectfully traverses this 102(b) rejection. Applicant has amended Claim 1 to clarify the claimed invention and remove any ambiguities that may have been a basis for the instant rejection.

Pending Claim 1 is directed to a patch antenna having a main body with a dielectric substrate in which a patch electrode is provided on one principal surface and a ground electrode provided on the other principal surface, and two feeding points being provided in the patch electrode. In addition, a circuit positioned below the ground electrode opposite the dielectric substrate, is provided for generating a phase difference of 90° between high-frequency signals supplied to the two feeding points through a pair of output terminals connected to the two feeding points, as well as a Wilkinson distribution circuit which includes a pair of output terminals connected to the 90°-phase-difference generating circuit.

In contrast, Nishikawa discloses that the ground electrode is disposed on the same side of the patch electrode (driven patch) as the 90°-phase-difference generating circuit (driver patch) (see column 15, lines 31 – 42, and Figures 20 – 21). Thus, the claimed arrangement that includes the 90° phase difference generating circuit positioned below the ground electrode opposite the dielectric substrate, is not taught or disclosed by Nishikawa. As such, Claim 1 is not anticipated by Nishikawa,

and Applicant submits that Claim 1 is now allowable, as well as original dependent Claims 2 – 4 and new dependent Claims 5 – 6.

In addition, since the Examiner indicated that Claims 2 – 4 would be allowed if rewritten in independent form including all of the limitations of the intervening claims. Thus, as written new Claims 7 – 10 are allowable.

### CONCLUSION

Applicant submits that this application is now in condition for allowance, and favorable reconsideration of this application in view of the above amendments and remarks is respectfully requested. Allowance of Claims 1 – 10 at an early date is earnestly solicited. If, there are additional fees due, Applicant requests that this paper constitutes any necessary petition and authorizes the Commissioner to charge any underpayment, or credit any overpayment, to Deposit Account No. 23-1925.

If the examiner finds that there are any outstanding issues which may be resolved by a telephone interview, the Examiner is invited to contact the undersigned at the below listed number

Respectfully submitted,  
Brinks, Hofer, Gilson & Lione

By



Gustavo Siller, Jr.  
Registration No.: 32,305

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200